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13  
14 **UNITED STATES DISTRICT COURT**  
15 **DISTRICT OF NEVADA**

16 BALLY GAMING, INC.

17 Plaintiff,

18 v.

19 ARISTOCRAT TECHNOLOGIES, INC.,  
VIDEO GAMING TECHNOLOGIES,  
20 INC., AND ARISTOCRAT LEISURE  
LIMITED

21 Defendants.

Case No.: 2-16-cv-02359-JCM-CWH

JOINT STIPULATION TO EXTEND  
DEADLINES RELATING TO MOTIONS TO  
DISMISS

(FIRST REQUEST)

22 Plaintiff Bally Gaming, Inc. (“Bally Gaming”) and Defendants Aristocrat Leisure Limited  
23 (“Aristocrat Leisure”), Aristocrat Technologies, Inc. (“ATI”), and Video Gaming Technologies,  
24 Inc., by and through their respective counsel, pursuant to LR IA 6-1, hereby agree and stipulate as  
25 follows:  
26

27 1. Aristocrat Leisure and ATI filed a Motion to Dismiss Count I of the Complaint for

1 Failure to State a Claim on December 5, 2016 (ECF No. 21), and Aristocrat Leisure filed a separate  
2 Motion to Dismiss for Failure to State a Claim on December 5, 2016 (ECF No. 22) (collectively,  
3 “Motions to Dismiss”).

4 2. Pursuant to LR II 7-2(b), Bally Gaming’s responses to the Motions to Dismiss are  
5 currently due December 19, 2016, and Aristocrat Leisure’s and ATI’s replies are due seven days  
6 after service of the responses (*i.e.*, December 27, 2016, as December 26, 2016, is a federal holiday).

7 3. Because briefing for the Motions to Dismiss occurs around the end-of-the-year  
8 holidays when many of Bally Gaming’s in-house and outside counsel will be out of the office, the  
9 parties seek to extend the deadline for Bally Gaming to respond to the Motions to Dismiss by three  
10 weeks, *i.e.*, to January 9, 2017. Additionally, an extension of less than three weeks would result  
11 in the briefing occurring over the New Year’s holiday when many of Bally Gaming’s in-house and  
12 outside counsel will still be out of the office.

13 4. As this extension will allow Bally Gaming five weeks to respond to the Motions to  
14 Dismiss, the parties agree that Aristocrat Leisure and ATI should be provided a short extension for  
15 their reply briefs. The parties seek to extend the deadline for the reply briefs by two days from  
16 January 17, 2017 to January 19, 2017. The January 17 deadline would fall the day after the Martin  
17 Luther King Day holiday. The requested two-day extension will ensure that Aristocrat Leisure  
18 and ATI have sufficient time, particularly given the intervening holiday weekend, to prepare  
19 replies on two dispositive motions.

20 5. Accordingly, the parties have agreed to extend the deadlines for Bally Gaming to  
21 respond to the Motions to Dismiss by three weeks, *i.e.*, to January 9, 2017, and for Aristocrat  
22 Leisure and ATI to file reply briefs in support of the Motions to Dismiss by two days, *i.e.*, to  
23 January 19, 2017. These requested extensions will not impact any other case deadlines set by the  
24  
25  
26  
27

1 Court, the Federal Rules, or the Local Rules.

2 6. This is the first request for an extension of the deadlines for Bally Gaming to  
3 respond to the Motions to Dismiss and for Aristocrat Leisure and ATI to submit their reply briefs.

4 WHEREFORE, the parties respectfully request that the Court approve this stipulation and  
5 order that Bally Gaming shall respond to the Motions to Dismiss on or before January 9, 2017 and  
6 that Aristocrat Leisure and ATI shall submit their reply briefs on or before January 19, 2017.

7 Dated this 9<sup>th</sup> day of December 2016.

8 For Plaintiff Bally Gaming, Inc.

9 For Defendants Aristocrat Technologies,  
Inc., Video Gaming Technologies, Inc. and  
Aristocrat Leisure Limited:

10 /s/ Spencer H. Gunnerson

11 /s/ Nicholas J. Santoro

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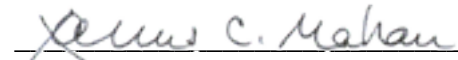
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**IT IS SO ORDERED:**

  
UNITED STATES DISTRICT JUDGE

DATED: December 9, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that on December 9, 2016, I served via CM/ECF and/or deposited for mailing in the U.S. Mail a true and correct copy of the foregoing, postage prepaid (if U.S. Mail) and addressed to all parties and counsel as identified on the CM/ECF-generated Notice of Electronic Filing.

/s/ Patty Pierson  
An Employee of Kemp, Jones & Coulthard, LLP